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Attorneys for Defendant Asaf Nass

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
AMIT M. EZYONI, et al.,  
  
Defendants.

Case No.: CR 07-0788 JF

**[PROPOSED] ORDER MODIFYING ASAF  
NASS' TERMS AND CONDITIONS OF  
RELEASE**

On January 23, 2008, the Court released defendant Asaf Nass on certain terms and conditions including a \$250,000 bond. The specifics of the bond were that: \$50,000 was unsecured; \$100,000 was secured by cash from Nazgol Ashouri, Mr. Nass' surety and custodian; and the remaining \$100,000 would be secured by equity in Mr. Nass' property at 2484 Stokes Avenue in San Jose, California.

After Mr. Nass' release, the Stokes Avenue property was appraised. Due to the depressed housing market, the property did not appraise above the \$100,000 that was contemplated by the parties at the January 23, 2008 hearing.

The parties appeared before the Court on February 28, 2008 for a hearing and discussed Mr. Nass' real property holdings. The Court ordered that the total amount of Mr. Nass' bond --

1 \$250,000 – remain unchanged and ordered the following modifications to Mr. Nass’ bond: The  
2 bond is modified to be unsecured in the amount of \$85,000. The bond shall continue to be  
3 secured by \$100,000 in cash from Ms. Ashouri. The bond shall be secured by \$40,000 in cash  
4 from Mr. Nass. The final \$25,000 shall be secured in equity in Mr. Nass’ condominium near  
5 Austin, Texas. Mr. Nass will post the \$40,000 in cash to the Clerk of Court on or before March  
6 7, 2008, and will post the encumbrance to his Texas property on or before March 17, 2008.

8 The parties shall appear on March 17, 2008, at 1:30 p.m. for a hearing on the status of Mr.  
9 Nass’ property posting. This date shall be vacated if Mr. Nass posts the Texas property with the  
10 Clerk of Court prior to March 17, 2008.

11 Additionally, Mr. Nass shall be allowed to travel outside of the Northern District of  
12 California, but within the State of California with the pre-approval of Pretrial Services. Requests  
13 to Pretrial Services for such travel are to be made a minimum of 24 hours in advance.

14 Ms. Ashouri has been notified of the above modifications to the terms and conditions of  
15 release and appearance of Mr. Nass. She was also present in the courtroom during the February  
16 28, 2008 hearing.

17 All other terms and conditions of release and appearance from the Court’s January 23,  
18 2008 order shall remain unchanged.

19  
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21 IT IS SO ORDERED.

22 Dated: March\_\_\_\_\_, 2008

23  
24 \_\_\_\_\_  
HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

1 Approved as to form:

2 /s/: Edwin K. Prather

3 EDWIN K. PRATHER

4 Attorneys for Defendant Asaf Nass

5 /s/: Jeff Nedrow

6 JEFF NEDROW

7 Assistant United States Attorney

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## Proof of Service

I, Stephanie Chan, declare as follows:

I am over eighteen years of age and not a party to the within action; my business address is 899 Ellis Street, San Francisco, California 94109; I am employed in the County of San Francisco.

On March 7, 2008, I served a copy, with all exhibits, of the following documents:

- [PROPOSED] ORDER MODIFYING ASAF NASS' TERMS AND CONDITIONS OF RELEASE

  X   (BY FAX) By transmitting by facsimile machine to the number addressed as below; the facsimile machine I used complied with California Rules of Court, rule 2003 and no error was reported by the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print a transmission record of the transmission.

  X   (BY MAIL) I am readily familiar with my employer's practices for collection and processing of correspondence for mailing with the United States Postal Service. Following ordinary business practices and placing a true copy of the above-referenced document(s) enclosed in a sealed envelope, with postage fully prepaid, in the United States mail at San Francisco, California, addressed as below:

  X   (BY ELECTRONIC SERVICE) I caused an electronic delivery subject to 28 U.S.C ¶1746, Local Rules or General Orders of this Court regarding Electronic Case Filing. All pleadings and papers must be electronically served in accordance with those Rules or General Orders with email address(es) as noted below:

|  |  |
|--|--|
| Via Email<br>Jeff Nedrow<br>United States Attorneys Office<br>Northern District of California<br>150 Almaden Blvd, Ste. 900<br>San Jose, CA 95113<br>Email: <a href="mailto:jeff.nedrow@usdoj.com">jeff.nedrow@usdoj.com</a>                 | Via Email<br>Garrrick S. Lew<br>600 Townsend Street, Suite 329E<br>San Francisco, CA 94103<br>Fax: (415) 522-1506<br>Email: <a href="mailto:gsl@defendergroup.com">gsl@defendergroup.com</a><br>Attorney for Limor Gefe                                    |
| VIA FACSIMILE<br>Jaime Chrranza<br>Pretrial Services<br>280 South First Street, Suite 1150<br>San Jose, CA 95113-3002<br>Fax: (408) 535-5227   | Via Email<br>Steven E. Chaykin<br>Akerman Senterfitt<br>One S.E. 3 <sup>rd</sup> Avenue, 25 <sup>th</sup> Floor<br>Miami, FL 33131-1714<br>Email: <a href="mailto:Steven.Chaykin@Akerman.com">Steven.Chaykin@Akerman.com</a><br>Attorney for Randy Golberg |
| Via Email<br>Ronald Gainor<br>6414 Fairways Drive<br>Longmont, CO 80503<br>Fax: (303) 447-0930<br>Email: <a href="mailto:gains_2000@hotmail.com">gains_2000@hotmail.com</a><br>Attorney for Brandi C. Aycock<br>Admitted <i>pro hac vice</i> | Via Email<br>Jerry Y. Fong<br>Carey & Carey<br>706 Cowper Street<br>PO BOX 1040<br>Palo Alto, CA 94302-1040<br>Fax: (650) 853-3632<br>Email: <a href="mailto:jf@careyandcareylaw.com">jf@careyandcareylaw.com</a><br>Attorney for Brandi C. Aycock         |

|   |  |   |
|---|--|---|
| 1 | Via Fax<br>Mark A. Arnold<br>Rose & Arnold<br>45 East Julian Street<br>San Jose, CA 95112<br>Fax: 408-286-9155<br>Attorney for David R. Lamondin   | Via Mail<br>Michael D. Orenstein<br>3864 Sheridan Street<br>Hollywood, FL 33021<br>Attorney for Matthew D. Sandomir   |
| 2 | Via Email<br>Hugh Anthony Levine<br>345 Franklin Street<br>San Francisco, CA 94102<br>Fax: (415) 255-7264<br>Email: <a href="mailto:halesq@ix.netcom.com">halesq@ix.netcom.com</a><br>Attorney for Stuart H. Sheinfeld                             | Via Fax<br>Michael J. Sacks<br>Brush & Sacks<br>7210 Wisteria Avenue<br>Parkland, FL 33076<br>Fax: (954) 575-8041<br>Attorney for Carol Haeussler   |
| 3 | Via Email<br>Lara Suzanne Vinnard<br>Federal Public Defender<br>San Jose<br>160 West Santa Clara St., Suite 575<br>San Jose, CA 95113<br>Email: <a href="mailto:lara_vinnard@fd.org">lara_vinnard@fd.org</a><br>Attorney for Christopher A. Sariol | Via Email<br>Vicki H. Young<br>Law Offices of Vicki H. Young<br>7016 Cowper Street, Suite 202<br>Palo Alto, CA 94301<br>Email: <a href="mailto:vickihyoung@yahoo.com">vickihyoung@yahoo.com</a><br>Attorney for Eduardo A. Subirats |

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this declaration was executed on the above stated date.

/s/: Abbie Chin  
Abbie Chin